

**MUSD 06-020 E-RATE WAN**  
**WIDE AREA NETWORK VOICE AND DATA SERVICES**

REVIEWER

THOMAS R. PAYNE

SUBMITTED BY

SIMPLY BITS

SECTION	DESCRIPTION	POINTS AWARDED
<b>TOTAL PRICE</b>  300 POINTS AVAILABLE	NON RESPONSIVE TO VOICE PORTION OF RFP.	
<b>SERVICE LEVEL AGREEMENT</b>  200 POINTS AVAILABLE		
<b>EXAMPLE PROJECT</b>  100 POINTS AVAILABLE		
<b>CUSTOMER REFERENCES</b>  100 POINTS AVAILABLE		
<b>VENDOR SUMMARY</b>  100 POINTS AVAILABLE		
<b>E-RATE CLAUSES</b>  100 POINTS AVAILABLE		
<b>SCALABILITY OF SOLUTION</b>  100 POINTS AVAILABLE		

**MUSD 06-020 E-RATE WAN**  
**WIDE AREA NETWORK VOICE AND DATA SERVICES**

REVIEWER

Dan Hunt

SUBMITTED BY

Simply Bits

SECTION	DESCRIPTION	POINTS AWARDED
<b>TOTAL PRICE</b>  300 POINTS AVAILABLE	Not responsible for meeting priority I voice service in RFP	
<b>SERVICE LEVEL AGREEMENT</b>  200 POINTS AVAILABLE		
<b>EXAMPLE PROJECT</b>  100 POINTS AVAILABLE		
<b>CUSTOMER REFERENCES</b>  100 POINTS AVAILABLE		
<b>VENDOR SUMMARY</b>  100 POINTS AVAILABLE		
<b>E-RATE CLAUSES</b>  100 POINTS AVAILABLE		
<b>SCALABILITY OF SOLUTION</b>  100 POINTS AVAILABLE		

**MUSD 06-020 E-RATE WAN**  
**WIDE AREA NETWORK VOICE AND DATA SERVICES**

REVIEWER

JACK BULLARD

SUBMITTED BY

SIMPLY BITS

SECTION	DESCRIPTION	POINTS AWARDED
<b>TOTAL PRICE</b>  300 POINTS AVAILABLE	NON-RESPONSIVE TO RFP REQUEST FOR VOICE REQUIREMENT	0
<b>SERVICE LEVEL AGREEMENT</b>  200 POINTS AVAILABLE		
<b>EXAMPLE PROJECT</b>  100 POINTS AVAILABLE		
<b>CUSTOMER REFERENCES</b>  100 POINTS AVAILABLE		
<b>VENDOR SUMMARY</b>  100 POINTS AVAILABLE		
<b>E-RATE CLAUSES</b>  100 POINTS AVAILABLE		
<b>SCALABILITY OF SOLUTION</b>  100 POINTS AVAILABLE		

# MUSD 06-020 E-RATE WAN WIDE AREA NETWORK VOICE AND DATA SERVICES

REVIEWER

CRAIG S. RENDANZ

SUBMITTED BY

SEMPLY BITS

SECTION	DESCRIPTION	POINTS AWARDED
TOTAL PRICE		
300 POINTS AVAILABLE		
SERVICE LEVEL AGREEMENT	NON RESPONSIVE TO 2 OF 5 ELEMENTS (MTBF, RESPONSE TIMES)	120
200 POINTS AVAILABLE		
EXAMPLE PROJECT	NON RESPONSIVE TO OUR NEEDS; PARTIAL RESPONSE TO ONGOING PERFORMANCE	30
100 POINTS AVAILABLE		
CUSTOMER REFERENCES	RESPONSIVE REFERENCES EXCEPT NO EXPERIENCE W/ E-RATE - BIG PROBLEMS	80 - 50% = 40
100 POINTS AVAILABLE		
VENDOR SUMMARY		
100 POINTS AVAILABLE		
E-RATE CLAUSES		
100 POINTS AVAILABLE		
SCALABILITY OF SOLUTION		
100 POINTS AVAILABLE		

NO VOICE SERVICES  
- NO SERVICES?  
- NOT responsive to RFP

requirements

**MUSD 06-020 E-RATE WAN**  
**WIDE AREA NETWORK VOICE AND DATA SERVICES**

REVIEWER

MARIANNE SPEER

SUBMITTED BY

TRILLION

SECTION	DESCRIPTION	POINTS AWARDED
<b>TOTAL PRICE</b>  300 POINTS AVAILABLE	MEETS ALL REQUIREMENTS BASED ON RFP	300
<b>SERVICE LEVEL AGREEMENT</b>  200 POINTS AVAILABLE	24/7, QUICK RESPONSE TIME OF 1 HR.  7-7	200
<b>EXAMPLE PROJECT</b>  100 POINTS AVAILABLE	EASILY UNDERSTOOD	100
<b>CUSTOMER REFERENCES</b>  100 POINTS AVAILABLE	SEVERAL SCHOOL DISTRICTS LISTED	100
<b>VENDOR SUMMARY</b>  100 POINTS AVAILABLE	MET REQUIREMENTS IN RFP	100
<b>E-RATE CLAUSES</b>  100 POINTS AVAILABLE	WELL EXPLAINED	100
<b>SCALABILITY OF SOLUTION</b>  100 POINTS AVAILABLE	MAPPED OPTIONS AVAILABLE TO EACH SITE  SHOWED REDUNDANCY	100

1000

**MUSD 06-020 E-RATE WAN**  
**WIDE AREA NETWORK VOICE AND DATA SERVICES**

REVIEWER

PAUL TRIGILI

SUBMITTED BY

TRILLION

SECTION	DESCRIPTION	POINTS AWARDED
TOTAL PRICE  300 POINTS AVAILABLE	BASED ON RFP EQUATION	300
SERVICE LEVEL AGREEMENT  200 POINTS AVAILABLE	SLA - 1 hr Response 24/7 - HAVE OWN TECHS	190
EXAMPLE PROJECT  100 POINTS AVAILABLE	Looked good - Understand EASILY	100
CUSTOMER REFERENCES  100 POINTS AVAILABLE	EXCELLENT - more TRAIN Required ALL SCHOOLS	100
VENDOR SUMMARY  100 POINTS AVAILABLE	Good	90
E-RATE CLAUSES  100 POINTS AVAILABLE	ALL PRIORITIES 1 AS Required in RFP	100
SCALABILITY OF SOLUTION  100 POINTS AVAILABLE	EXCELLENT - REDUNDANCY ON NETWORK	100

TOTAL = 980 -

**MUSD 06-020 E-RATE WAN**  
**WIDE AREA NETWORK VOICE AND DATA SERVICES**

REVIEWER

James Webb

SUBMITTED BY

TRILLION

SECTION	DESCRIPTION	POINTS AWARDED
<b>TOTAL PRICE</b>  300 POINTS AVAILABLE	Cost 41,240 bid  best price	300
<b>SERVICE LEVEL AGREEMENT</b>  200 POINTS AVAILABLE	24/7 1hr response 7-7 am	200
<b>EXAMPLE PROJECT</b>  100 POINTS AVAILABLE	Good example	100
<b>CUSTOMER REFERENCES</b>  100 POINTS AVAILABLE	Several example given and called	100
<b>VENDOR SUMMARY</b>  100 POINTS AVAILABLE	Complete	100
<b>E-RATE CLAUSES</b>  100 POINTS AVAILABLE	Complete	100
<b>SCALABILITY OF SOLUTION</b>  100 POINTS AVAILABLE	Included Scalability 100 mgs lines 50 And added redundancy	100

\* Best Vendor  
James Webb  
 2/14/2006

1,800  
~~1,000~~ total points  
 for

**MUSD 06-020 E-RATE WAN**  
**WIDE AREA NETWORK VOICE AND DATA SERVICES**

REVIEWER

Charlie W. Hastings II

SUBMITTED BY

Trillion

SECTION	DESCRIPTION	POINTS AWARDED
<b>TOTAL PRICE</b>  300 POINTS AVAILABLE	Based on RFP scoring matrix	300
<b>SERVICE LEVEL AGREEMENT</b>  200 POINTS AVAILABLE	SLA was 24/7 fractured 1hr. out response/ Company or Contract Tech	160
<b>EXAMPLE PROJECT</b>  100 POINTS AVAILABLE	Present, well lined out and very understandable:	80
<b>CUSTOMER REFERENCES</b>  100 POINTS AVAILABLE	All References present: All schools:	100
<b>VENDOR SUMMARY</b>  100 POINTS AVAILABLE	Fair - Brief overview of company	85
<b>E-RATE CLAUSES</b>  100 POINTS AVAILABLE	Lots of experience, willing to help:	90
<b>SCALABILITY OF SOLUTION</b>  100 POINTS AVAILABLE	Included lines capable of higher throughputs: Simple remote procedure to upgrade	100

Total

915



**MUSD 06-020 E-RATE WAN**  
**WIDE AREA NETWORK VOICE AND DATA SERVICES**

REVIEWER

THOMAS R. PAYNE

SUBMITTED BY

TRILLION

SECTION	DESCRIPTION	POINTS AWARDED
<b>TOTAL PRICE</b>  300 POINTS AVAILABLE	BEST OVERALL PRICE BASED ON REF EQUATION	300
<b>SERVICE LEVEL AGREEMENT</b>  200 POINTS AVAILABLE	SOME SERVICE CONTRACTED	150
<b>EXAMPLE PROJECT</b>  100 POINTS AVAILABLE	GOOD DETAIL	100
<b>CUSTOMER REFERENCES</b>  100 POINTS AVAILABLE	PROVIDED MANY REFERENCES	100
<b>VENDOR SUMMARY</b>  100 POINTS AVAILABLE		100
<b>E-RATE CLAUSES</b>  100 POINTS AVAILABLE		100
<b>SCALABILITY OF SOLUTION</b>  100 POINTS AVAILABLE	SOFTWARE SCALABILITY	100

950

**MUSD 06-020 E-RATE WAN**  
**WIDE AREA NETWORK VOICE AND DATA SERVICES**

REVIEWER

Dan Hunt

SUBMITTED BY

Trillion

SECTION	DESCRIPTION	POINTS AWARDED
<b>TOTAL PRICE</b>  300 POINTS AVAILABLE	Lowest overall cost for WAN Data & Voice Solution	300
<b>SERVICE LEVEL AGREEMENT</b>  200 POINTS AVAILABLE	There is a guaranteed level of service with money turned back if levels of service are not met. 24x7x365 service on network down	160
<b>EXAMPLE PROJECT</b>  100 POINTS AVAILABLE	detailed - easy to follow - makes sense	90
<b>CUSTOMER REFERENCES</b>  100 POINTS AVAILABLE	10 references - bigger, same and smaller	100
<b>VENDOR SUMMARY</b>  100 POINTS AVAILABLE	A lot of e-rate service & commitment	100
<b>E-RATE CLAUSES</b>  100 POINTS AVAILABLE	Assists with all filing-build outside of window-e-rate guarantees that benefit the customer	100
<b>SCALABILITY OF SOLUTION</b>  100 POINTS AVAILABLE	no specifics other than upgrades can be done without equipment, just IOS	90

Total

940

# MUSD 06-020 E-RATE WAN

## WIDE AREA NETWORK VOICE AND DATA SERVICES

REVIEWER

JACK BULLARD

SUBMITTED BY

TRILLION

SECTION	DESCRIPTION	POINTS AWARDED
<b>TOTAL PRICE</b>	BASED ON RFP Scoring Matrix	300
300 POINTS AVAILABLE		
<b>SERVICE LEVEL AGREEMENT</b>	1 YEAR GUARANTEE	180
200 POINTS AVAILABLE		
<b>EXAMPLE PROJECT</b>	EXCELLENT NETWORK PLAN	90
100 POINTS AVAILABLE		
<b>CUSTOMER REFERENCES</b>	A LOT MORE SUPPLIED THAN NEEDED. EXCELLENT	100
100 POINTS AVAILABLE		
<b>VENDOR SUMMARY</b>	HAS WORKED WITH MANY SCHOOLS. VERY IMPRESSIVE	100
100 POINTS AVAILABLE		
<b>E-RATE CLAUSES</b>	ALL PRIORITY 1 MEETS RFP	100
100 POINTS AVAILABLE		
<b>SCALABILITY OF SOLUTION</b>	Remote Software SCALABILITY Redundancy	100
100 POINTS AVAILABLE		

TOTAL → 870

**MUSD 06-020 E-RATE WAN**  
**WIDE AREA NETWORK VOICE AND DATA SERVICES**

REVIEWER

CRAIG S. RENDALL

SUBMITTED BY

TELLION

SECTION	DESCRIPTION	POINTS AWARDED
<b>TOTAL PRICE</b>  300 POINTS AVAILABLE	TELLION LOWEST OF TWO  $\frac{41,240}{41,240} \times 300 = 300$	300
<b>SERVICE LEVEL AGREEMENT</b>  200 POINTS AVAILABLE	NON RESPONSIVE TO 3 OF 5 ELEMENTS PER P. 14 OF 16 IN RFP (MTBF, WARRANTIES, SPECIFIC REMEDIES)	80
<b>EXAMPLE PROJECT</b>  100 POINTS AVAILABLE	NON RESPONSIVE TO 2 OF 3 ELEMENTS; WHERE IS SPECIFIC PLAN TO MUSD?	33
<b>CUSTOMER REFERENCES</b>  100 POINTS AVAILABLE	NON RESPONSIVE TO: ERATE; PROJECT TYPE; PROJECT TOTAL; HAS CONTACTS AND VARIOUS DESIGNS	40
<b>VENDOR SUMMARY</b>  100 POINTS AVAILABLE	Commitment Code as acceptable; 9 YRS; 1500 devices; W9 completed	100
<b>E-RATE CLAUSES</b>  100 POINTS AVAILABLE	PAR 8 includes E-RATE SERVICES AGREEMENT? FULLY RESPONSIVE; PERIOD 10; 6/30/06 IS VARIATION	100
<b>SCALABILITY OF SOLUTION</b>  100 POINTS AVAILABLE	ONLY GENERAL SCALABILITY STATEMENTS; NO SPECIFICS OR DETAILS AS RFP REQUIRES	10

663

THIS QUESTION WAS ANSWERED AND WAS LISTED IN THE SUBJECT OF THE EMAIL AS "INQUIRY ON WAN RFP" ON JANUARY 19, 2006.

**QUESTION SUBMITTED:** On Page 12 of the bid it indicates that you want 10 Mbps minimum however, the last sentence of that page indicates you want 100 Mbps Ethernet Connection at each campus being upgraded? Please clarify.

**ANSWER:** The WAN connections we are requesting to upgrade to need to be at a minimum speed of 10 Mb. Our thought was that however that 10Mb (minimum) connection was provided from site to site, the vendor would have to put in a device (switch) in to handle their connection on each end. Our expectation is that from that switch to our network, we would like a 100 Mb Ethernet handoff. If the vendor is not planning or needing to put a switch in at that point, please explain what type of handoff will be provided to the district.

Dan Hunt  
Director of Technology  
Marana Unified School District

THIS QUESTION WAS ANSWERED AND WAS LISTED IN THE SUBJECT OF THE EMAIL AS "#2 INQUIRY ON WAN RFP" ON JANUARY 20, 2006.

**QUESTION SUBMITTED:** In the bid you ask for a 5 year contract however, that can only be established for the Network contract such as QMOE, Internet, etc. Your Pricing Sheet Page 16 is set up for that contract and makes no provision for the equipment portion which is a one time expenditure? Are you asking for Monthly's for the network piece and monthly's for the equipment piece via a lease arrangement? What I can do if OK with you and Dan Contorno is make a separate pricing page for equipment via lease, QMOE monthly's etc. so you can see what each product your asking for breaks down to. Let me know.

**ANSWER PROVIDED:** Marana Unified School District is looking to procure WAN data and voice services and pay for those services on a monthly basis (throughout a multi year term contract). If the services you are proposing require equipment to be installed on the front end of the installation and there are one time costs associated with doing so, or there are other costs associated with the initial installation of the service you are proposing, please note those costs on the first line of the Pricing Sheet (page 16) page on the line titled "Initial Installation Cost." I would suggest for clarification purposes you include a separate pricing sheet to provide the detailed information necessary to explain what is covered by those costs. The District will look at all options provided and determine which option(s) meet the RFP and best suit the districts needs and budget. If you would like to propose multiple options, the district will accept and look at those options. One option may be to provide the cost of the equipment being paid for up front by the district, and the WAN services themselves being billed monthly. The other option could be to provide the cost of the equipment spread across the term of the contract also being paid for monthly. Please remember, the RFP specifies that all costs be broken down in such a way that it lists what is E-rate eligible and what is not E-rate eligible. Also remember (as noted on the Pricing Sheet) that the "Vendor shall retain ownership of any and all equipment installed."

THIS QUESTION WAS ANSWERED AND WAS LISTED IN THE SUBJECT OF THE EMAIL AS “#3 INQUIRY ON Marana USD WAN RFP” ON FEBRUARY 2, 2006.

QUESTION ASKED: Will the winning vendor be asked to present at your board meeting on 2/14?

ANSWER: The winning vendor will not be expected to present at the Board meeting. The Board is expecting the necessary documentation to be provided based on the scoring matrix included in the RFP, and a recommendation as to which vendor is being recommended.

THIS QUESTION WAS ANSWERED AND WAS LISTED IN THE SUBJECT OF THE EMAIL AS “#4 Inquiry on Marana USD RFP WAN” ON FEBRUARY 3, 2006.

**QUESTION SUBMITTED:** May service providers quote various pricing alternatives?

**ANSWER PROVIDED:** We encourage "outside the box" thinking. The main goal is to get the best solution available at a reasonable cost, with the best possible service and strong provider relationships. By not making you stick to only quoting specific items and options, we believe providers will be able to provide the best available solutions based on their expertise. Please note that scoring of the alternatives will still be based on the scoring matrix provided in the RFP.

THE FOLLOWING 3 QUESTIONS HAVE BEEN ASKED AFTER THE DATE THAT WAS POSTED IN THE RFP AS TO WHEN NO MORE QUESTIONS WOULD BE ACCEPTED (FEBRUARY 6, 2006 – PAGE 7 IN THE INQUIRIES SECTION). HOWEVER I AM ANSWERING THEM AND MAKING THE POINT THAT THESE QUESTIONS AND THE ANSWERS TO THEM WILL NOT BE ALLOWED TO CALL THE RFP INTO QUESTION AT A LATER DATE. I AM CLARIFYING THESE ITEMS STRICTLY TO HELP MARANA USD GET THE BEST PROPOSALS WE POSSIBLY CAN GET.

QUESTION 1: You say in your RFP that there are four co-located sites connected by fiber: The District Office, A.C.E Office, Marana Middle School and Marjorie W Estes Elementary School. Yet on the address list I see Marana Distance Learning also listed at the 11279 West Grier Road location. I assume this site is also on the fiber run, but I want to be sure, since the number of sites served materially affects our costs.

Could you please confirm whether or not the Distance Learning office is on the gig fiber net?

ANSWER PROVIDED: The short and sweet answer is that our Career and Technical school where our Distance Learning Program (MDLP) is housed is just a wing of our District office complex and is connected via a gigabit fiber connection. Most of its students are really working from home so there is no need for a separate campus, just a need for a testing facility and a place to house the coordinator.

QUESTION 2:

Are you looking for an Internet quote as part of the WAN RFP? We are a little confused by the wording. We can give you a 10 meg quote as a separate item or bundle it into the WAN, or both....

ANSWER PROVIDED: We are looking to upgrade our WAN links to a minimum 10Mb connection to each site (that presently isn't 1000Mb fiber) and also upgrade our Internet connection from a 6Mb connection to at least a 10Mb connection. It is up to the vendor responding to determine if they want to bid the Internet connection or not, and also to determine whether to incorporate that into their WAN proposal or submit a completely separate proposal.

QUESTION 3:

What does this mean or what are you asking for?

ANSWER PROVIDED: The question comes from page 16 of the RFP and is one of the line items on the Pricing Sheet. The reason this option is here is to provide the vendor a place to put in a cost (if it is normally a cost of doing business with them) for removing all of their equipment and network items if MUSD chose to discontinue doing business with them at the end of the 5 year contract. If there is no cost for taking your equipment out at the end of the 5 year contract, you may leave this blank or put in a \$0.00 cost.

## **EXHIBIT K**



## AFFIDAVIT OF MITCHELL EICHNSEER

Mitchell Eichenseer, being first duly sworn, deposes and says:

1. I have been employed since July 2008 as the Director of Technology for the Marana Unified School District (the "District").

2. In connection with the letter dated June 1, 2010 from the Universal Service Administrative Company, Schools and Libraries Division ("SLD"), I have been reviewing and analyzing data that had been left for me by my predecessor as the District's Director of Technology, Dan Hunt.

3. The information I have found in Mr. Hunt's computer files includes RFP's from other organizations, with time and date stamps showing such files were downloaded to the District's servers on January 12, 2005.

4. Also in Mr. Hunt's files was an early draft of an RFP for WAN services, created by Mr. Hunt on January 12, 2005.

5. Based on my review of Mr. Hunt's files, it appears that Mr. Hunt was already interested in securing the services of a wireless wide-area networking (WWAN) vendor approximately one year prior to the issuance of the RFP, which ultimately led to the award of a contract to Trillion.

6. When first starting my tenure at the District in July, 2008, it came to my attention that Mr. Hunt had left behind a repository of files for his successor. These files were located on Department Secretary Dahlia McCollum's "mapped" hard drive – a drive that isn't local to her machine, but rather, a drive that is on a District server that we call our "Z Drive." The "Z Drive" is the location where all District employees are told to save their data so that it is adequately backed up.

7. I copied Mr. Hunt's files to my "Z Drive" on August 8, 2008. I am fairly certain it occurred on that day because, throughout this repository of data, I have many date/time stamps that indicate that specific date. For example, when I sent USAC information in response to the Trillion investigation on July 9, 2009, one could see many time stamps of folders specifying that date:

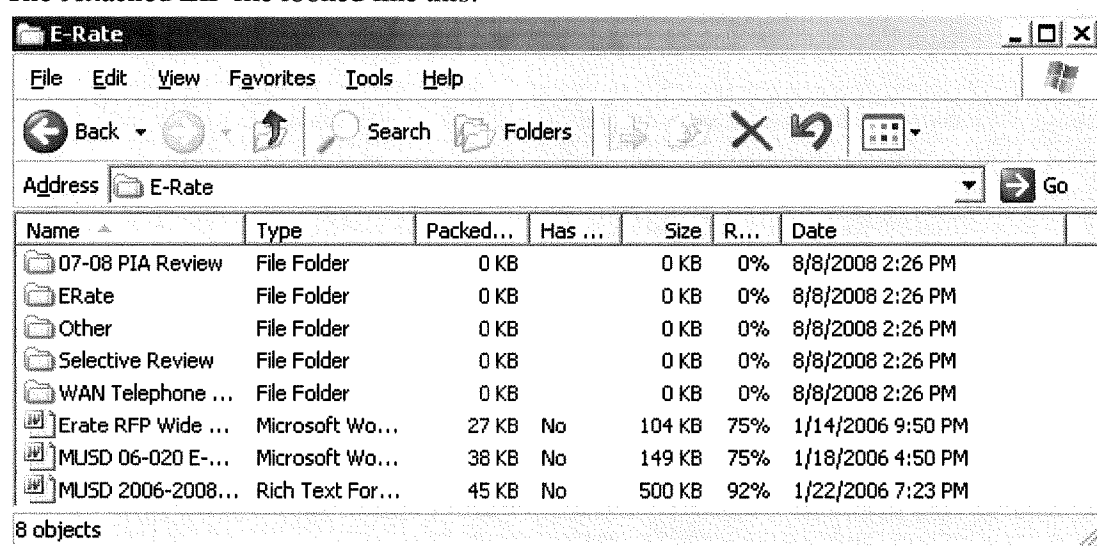
**From:** Eichenseer, Mitchell  
**Sent:** Thursday, July 09, 2009 1:22 PM  
**To:** 'bcannan@sl.universalservice.org'  
**Cc:** 'Ernie Nicely'  
**Subject:** Trillion Response (Part Four)

Hello again:

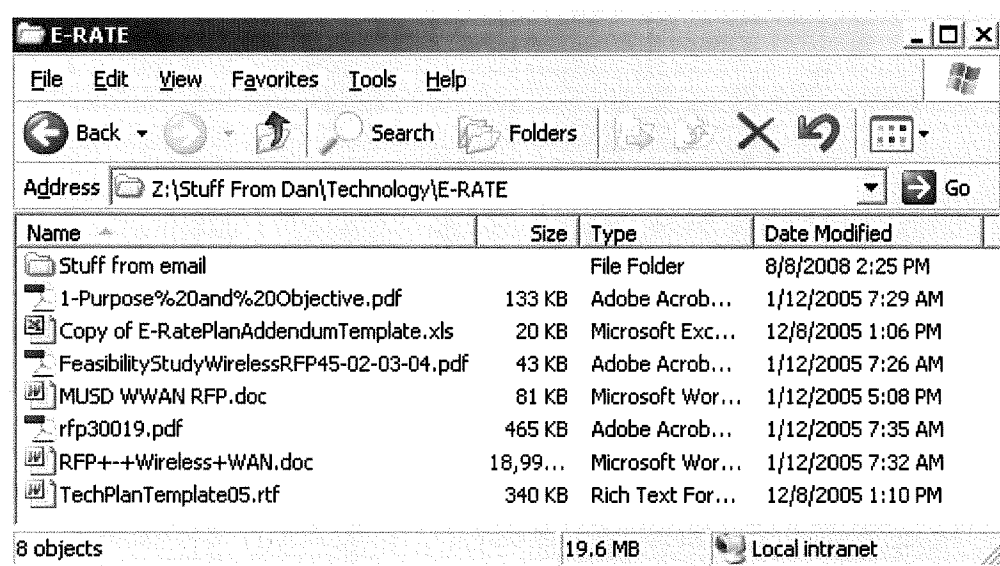
Here's the first half of email correspondence (and documentation) that I could find regarding #531607, #569965, and #611726.

-Mitch

The Attached ZIP file looked like this:



8. The file folder "Z:\Stuff From Dan\Technology\E-RATE" contained numerous files showing Mr. Hunt's work on a WAN RFP as early as January 2005. This is a "screen-shot" of the files and sub-folders within that folder:



9. The first document, "1-Purpose%20and%20Objective.pdf," is a file that was produced by the city of Pleasant Hill, CA on September 3, 2004 in an attempt to secure wireless wide area services. As you can see above, it was downloaded by Mr. Hunt on the morning of January 12, 2005. See Attachment 1 to this Affidavit.

10. The third file, "FeasibilityStudyWirelessRFP45-02-03-04.pdf," is an RFP for the Fremont Unified School District of Alameda County, California. Although I am unsure of its creation date, according to the document, bids were due on February 3, 2004. The date that Mr. Hunt downloaded this document was also on the morning of January 12, 2005. See Attachment 2 to this Affidavit.

11. The fourth file, "MUSD WWAN RFP.doc," was also created (or last modified) on January 12, 2005. See Attachment 3 to this Affidavit.

12. The fifth file, "rfp30019.pdf," is an RFP for the Kansas City, Kansas School District. Although its creation date is not clear, bids were due on February 3, 2004. It was downloaded by Mr. Hunt on the morning of January 12, 2005. See Attachment 4 to this Affidavit.

13. The sixth file, "RFP+-+Wireless+WAN.doc," dated January 7, 2005, is an RFP for Kalispell School District 5 in Montana. It was also downloaded on the morning of January 12, 2005. See Attachment 5 to this Affidavit.

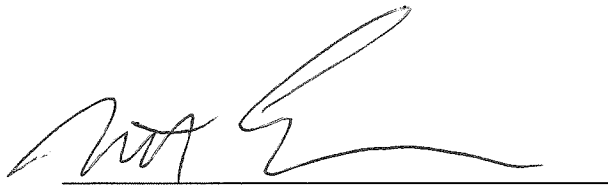
14. In addition to the files specifically identified above, there are other files which contained no documents of interest to this investigation.

15. Of the files specifically noted above, (files 1, 3, 4, 5, and 6), all but one (file 4, called "MUSD WWAN RFP.doc") were authored by an outside organization and were downloaded by Mr. Hunt on the morning of January 12, 2005. Because the date and time stamp of his own RFP is some nine hours later, it would appear that the files that Mr. Hunt downloaded from other entities were to be used for helping develop the framework of his own RFP.

16. On page six of "MUSD WWAN RFP.doc," it specifies that "RFP will be due: February XXX, 2005. Submissions received after this deadline will be disqualified. If possible, please submit responses 10 days prior to bid closing to allow for review by appropriate parties." Also, on page eight, point number six specifies that "The Vendor agrees that the deadline for the submission of this bid to Marana Unified School District is X:00 p.m., February X, 2005."

17. The draft WAN RFP, dated January 12, 2005, and the other files from Mr. Hunt's "Z Drive" support my conclusion that the date and time stamps shown on the computer are accurate, and that Mr. Hunt was working on an RFP for WAN services in January 2005, over a year before the RFP in question, and months before any of the contacts with Trillion that are alleged in SLD's letter.

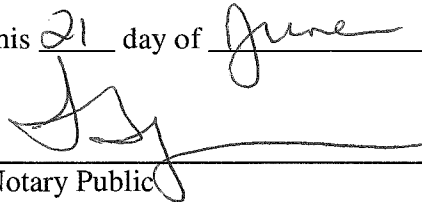
Further affiant sayeth not.



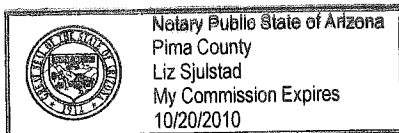
Mitchell Eichenseer

State of Arizona   )  
                                  ) ss  
County of Pima    )

SUBSCRIBED AND SWORN TO before me this 21 day of June, 2010,  
by Mitchell Eichenseer.



Notary Public



**Attachment 1  
to the  
Affidavit of Mitchell Eichenseer**

# **Request for Proposal**

## **Wireless WAN Data Communications System**

City of Pleasant Hill, California  
Contra Costa County Sheriff's Office, California  
3 September 2004

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<b>4. Wi-Fi WAN Communications System Compliancy Table .....</b>	<b>Error! Bookmark not defined.</b>
4.1.1. System Requirements .....	Error! Bookmark not defined.
4.1.2. Wi-Fi Cell Requirements .....	Error! Bookmark not defined.
4.1.3. Client Station Requirements .....	Error! Bookmark not defined.
4.1.4. Reliability and Fault Tolerance Requirements .....	Error! Bookmark not defined.
4.1.5. Coverage, Capacity and Performance Requirements .....	Error! Bookmark not defined.
4.1.6. Security Requirements .....	Error! Bookmark not defined.
4.1.7. Network Management Requirements .....	Error! Bookmark not defined.
<b>5. Proposed Hardware/Software Platforms .....</b>	<b>Error! Bookmark not defined.</b>
5.1.1. Overview .....	Error! Bookmark not defined.
5.1.2. Wi-Fi Cell Component List .....	Error! Bookmark not defined.

5.1.3.	Existing MCT Client Station Retrofit Component List	Error! Bookmark not defined.
5.1.4.	New Client Station Component List	Error! Bookmark not defined.
5.1.5.	Interconnect Component List	Error! Bookmark not defined.
5.1.6.	Miscellaneous Component List	Error! Bookmark not defined.
6.	Projected Implementation.....	Error! Bookmark not defined.
7.	Warranty/Maintenance Requirements .....	Error! Bookmark not defined.
8.	Training Requirements.....	Error! Bookmark not defined.
9.	Documentation.....	Error! Bookmark not defined.
10.	Price Proposal .....	Error! Bookmark not defined.



## 1. Purpose and Objectives

The City of Pleasant Hill and the Contra Costa County Sheriff's Office jointly solicit vendors for a Request for Proposal (RFP) from qualified contractors to design, implement, install, and maintain a Wireless WAN Data Communications System of the above listed public entities. This system is intended to achieve the following goals:

- **High bandwidth capacity to handle multiple applications.** These applications would include [application to write, submit, and print reports while in the field; viewing mug shots, streaming video/audio, access to records management system, ability to access the Web and e-mail, other portable computing applications]. Ability to use IP phones/devices for voice communications in the future.
- **Highly secure.** Offers the highest level of security at multiple layers utilizing proven, industry-standard security technologies.
- **Scalable over entire geographic area (area of service).** Offer fully redundant coverage over 95% of the proposed service area, anywhere that a car can navigate on the streets. Offers an expansion path for potential expansion of the area of service.
- **High levels of reliability.** Deliver 99.99% network uptime within the coverage area.
- **Fault tolerant and redundant.** Provide automatic fail-over protection at multiple levels, including at the wireless link and the connection to the wired network.
- **Interference resilient.** Offers protection against local environmental disrupters and resiliency for interference.
- **Standard IEEE 802.11 (Wi-Fi) compliant.** Interoperate with standard IEEE approved and supported Wi-Fi (802.11x) networking devices.
- **Centralized management control.** Provides central management and control over the network.
- **Public Access.** System may be used by the public in the future.
- **City Usage -** System will be used by Sworn and Non-sworn City personnel.
- **Interoperability Police –** Ability to cross networks from one jurisdiction to another within the proposed network.
- **Video/Audio Surveillance -** Ability to have wireless cameras for police vehicles and designated businesses/high crime areas.
- **Vehicles –** Ability to transition from one node to another with no disruption in data stream.

Pleasant Hill --

Currently a T1 point to point exist between the City Hall complex and the Police Department. A wireless link will also be needed to replace this link and the T1 will become a backup for data communications.

All coverage of the City of Pleasant Hill is the purpose of this RFP but absolute coverage needed is:

Police Department

City Hall

Downtown

Wards/Monument Blvd

Target Store (North end of city)

Geary Rd (Consolidated Fire Engine 2)

Contra Costa Blvd/Beth Dr (Ace Hardware)

Morello Center/Apollo (Hope Center)

Diablo Valley College

Wildcroft/Alhambra

Grayson/Pleasant Hill Rd (Walgreen's)

Best Buy

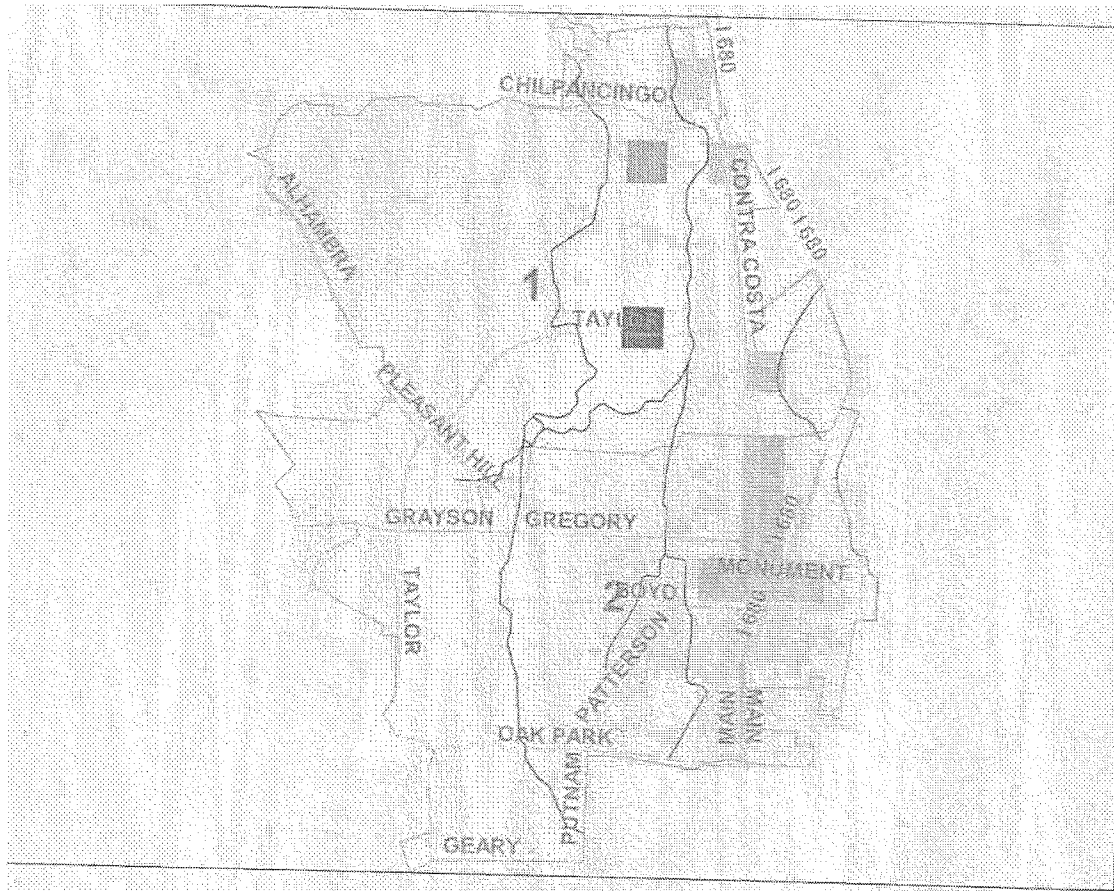
Contra Costa/Taylor Blvd

Costa Costa/Astrid ((Navlet's)

Monument/Contra Costa to Gregory and downtown area. Contra Costa Blvd, between Doray and Taylor, PD, Golf Club/Camelback area, Kmart/Target.

Initially the Police Department will be using the network. The system design should include City Personnel using the network as well as the public in the future.

Additional coverage needed is listed below red highlighted areas:



Contra Costa County Sheriff's Office –

Point to Point and frame relay T-1's exist to all station houses, detention facilities and administration buildings. Given that 100% coverage of the whole of the Sheriff's Office jurisdiction is impossible, it is desirable to focus on those areas that are frequented by Sheriff's deputies. Station houses, gas pumps, detention facilities and those areas with higher response rates will need focus. Coverage of those areas should extend no less than ½ mile radius from the core address. The following locations are critical to the operation and coverage should be concentrated at these points.

Sheriff's Field Operations Building, 1980 Muir Rd. Martinez (to include 30, 40 and 50 Glacier complex)

West County Detention Facility, 5555 Giant Highway, Richmond

Delta Station House, Ohara and Acme, Oakley

Valley Station House, 150 Alamo Plaza #C, Alamo

Main Detention Facility, 1000 Ward, Martinez

County Corporation Yard, 2467 Waterbird Way, Martinez

### **1.1. Bid Process**

The City of Pleasant Hill jointly with Contra Costa County Sheriff's Office will conduct the selection of a Wireless WAN Data Communications System vendor and award contract in the following manner:

- 1) This document will be distributed to all interested vendors.
- 2) A bidder's conference will be held to answer any questions arising from the RFP and give vendors the opportunity to examine the municipality's facilities prior to their bid submittal.
- 3) The proposals will be received and evaluated as described in this RFP. If necessary, a short list of the most qualified vendors will be compiled and these vendors asked to make oral presentations to the joint municipalities. The Municipalities may also choose to conduct site visits to vendor installations similar to the one proposed.
- 4) A contractor will be selected for contract negotiations.
- 5) At the conclusion of negotiations, a contract will be presented to the Council or approving authority of each entity for review and approval.
- 6) Vendor may submit multiple bids for different wireless networks such as mesh or access points.

### **1.2. Schedule of Events**

The following is the schedule of events listed in the order of occurrence, showing the major milestones from issuance of the RFP to the contract award:

MILESTONE EVENT PLEASANT HILL	DATE
1. RFP Issuance	3 September 2004
2. Bidder's Conference	30 September 2004
3. Proposal Due Date	29 October 2004
4. Proposal Evaluation completed	15 November 2004
5. Contract Negotiation completed	30 November 2004
6. Contract signed	6 December 2004
7. Project begins	3 January 2005
8. Implementation completed	To be agreed with vendor of choice on schedule. No later than 30 June 2005.

The Municipalities reserve the right to change the schedule of events as it deems necessary. In the event of a major date change, said municipalities will notify all known vendor participants. The municipalities also reserve the right to issue addenda to this RFP up to seven days before the bid date as needed to clarify the municipalities' desires or to make corrections. The Bidder will acknowledge receipt of all addenda in their proposals.

### **1.3. Bidder's Conference**

All prospective vendors are required to attend the Bidder's Conference to be held 30 September at 1 PM at the Community Room, 100 Gregory Lane, Pleasant Hill, CA 94521. City of Pleasant Hill jointly with Contra Costa County Sheriff's Office will not be able to consider bids from vendor's that did not attend the Bidder's Conference.

At this conference, the City of Pleasant Hill and Contra Costa County Sheriff's Office will make a short presentation regarding the desired system and then open the floor to Bidder questions. Please submit any questions in writing at least 10 business days prior to the conference date. An addendum to the RFP will be issued as soon as possible after the conference answering all submitted questions and notifying vendors of any changes to the RFP.

Bidders will also be given the opportunity at this time to tour the facilities to ascertain the suitability of their proposed systems.

If additional information is required by the Bidder to further clarify the RFP requirements, written questions will be accepted until 27 September. All questions must be submitted in writing and sent to the following address pertaining to their install:

City of Pleasant Hill  
James Ziegelman  
Network Manager  
100 Gregory Lane  
Bus 925 671-5236  
Fax 925 256-8190

Contra Costa County Sheriff's Office  
Terry Betts  
Communication Systems Manager  
30 Glacier Dr.  
Bus 925 313-2453

[itmanager@ci.pleasant-hill.ca.us](mailto:itmanager@ci.pleasant-hill.ca.us) [TBett@so.cccounty.us](mailto:TBett@so.cccounty.us)

#### **1.4. Contact Information**

The City of Pleasant Hill has designated James Ziegelman to be responsible for coordinating communications between City of Pleasant Hill and potential contractors. He may be contacted at:

City of Pleasant Hill  
100 Gregory Lane  
Pleasant Hill, CA 94523  
925 671-5236

The County of Contra Costa has designated Terry Betts to be responsible for coordinating communications between the County and potential contractors. He may be contacted at:

Terry Betts  
Office of the Sheriff  
Contra Costa County Sheriff's Office  
30 Glacier Dr.  
Martinez, Ca. 94553  
925-313-2453

#### **1.5. Bid Submittal Instructions**

Vendors are to submit 1 electronic copy to [itmanager@ci.pleasant-hill.ca.us](mailto:itmanager@ci.pleasant-hill.ca.us) and [TBett@so.cccounty.us](mailto:TBett@so.cccounty.us).

In addition, 2 originals of the proposal on or before [BID TIME] on [BID DATE] to:

James Ziegelman  
City of Pleasant Hill  
100 Gregory Lane, Pleasant Hill  
California 94523

All bids should be clearly marked "Proposal for Wireless WAN Data Communications System" for City of Pleasant Hill and Contra Costa County Sheriff's Office. Bids will be for separated by municipalities and costs associated to that municipality.

Bidder questions must be received by the date specified on the RFP.

It will be the sole responsibility of the vendor to have their bids delivered to the City of Pleasant Hill before the closing hour and date. Late bids will not be considered and will be returned unopened to the sender.

Bids having any erasures or corrections must be initialed in ink by the vendor. The proposal must contain the signature of the duly authorized officer of the Bidder and must be signed in ink.

All bids must be valid for a period of 90 days following the bid opening hardware, software, installation, training, and maintenance. Partial or incomplete proposals will be rejected.

All costs incurred by the vendor in preparing the proposal, or costs incurred in any other manner by the vendor in responding to this proposal will be wholly the responsibility of the vendor. All materials and documents submitted by the vendor in response to this specification become the property of the City of Pleasant Hill and Contra Costa County Sheriff's Office and will not be returned to the vendor.

Any proprietary information contained in the proposal should be so indicated.

Each municipality will notify winning Bidder of the Bid Award and will arrange a meeting with the bidder to commence contract negotiations.





**Attachment 2**  
**to the**  
**Affidavit of Mitchell Eichenseer**

NOTICE TO BIDDERS  
FREMONT UNIFIED SCHOOL DISTRICT  
RFP 45-02-03-04

FEASIBILITY STUDY AND SITE CERTIFICATION FOR A DISTRICT-WIDE  
WIRELESS WAN INSTALLATION.

NOTICE IS HEREBY GIVEN THAT THE FREMONT UNIFIED SCHOOL DISTRICT of Alameda County, California, acting by and through its Governing Board, will receive up to, but not later than 2:00 PM, February 3, 2004 sealed proposals for a feasibility study and site certification for a district-wide wireless WAN installation .

Sealed proposals must be received in the Office of the Purchasing Agent, located at 4210 Technology Drive, Room 202, Fremont, California, 94538.

A mandatory pre-bid conference/site visit will be held on January 7, 2004 at 10:00 AM in the Sequoia Room at 4210 Technology Drive, Fremont, California. Bidders not attending this meeting will not be qualified to bid.

All inquiries should be submitted to Fremont Unified School District Purchasing Agent at [ctonella@fremont.k12.ca.us](mailto:ctonella@fremont.k12.ca.us) . The District is not responsible for oral statements made by its employees, agents, or representative concerning this RFP.

The Governing Board reserves the right to reject any or all proposals, to waive any informality and to award the contract in the best interest of the District

GOVERNING BOARD  
Fremont Unified School District  
Alameda County, California  
[www.fremont.k12.ca.us](http://www.fremont.k12.ca.us)

Claudia Tonella, Purchasing Agent

## GENERAL CONDITIONS

### Background

The District was established in 1964, and provides educational services to the residents of a 90 square mile area including principally the incorporated City of Fremont, located on the east side of San Francisco Bay, in southern Alameda County, California. The District operates 29 elementary schools (grades K-6), five junior high schools (grade 7-8), and five senior high schools (grades 9-12). The District's other facilities also include a continuation high school and an adult education school. The District has K-12 enrollment of approximately 31,450 students.

### Scope

The District is inviting bidders to submit proposals for a feasibility study and site certification for a district-wide wireless WAN installation. The certified site survey will include network reliability, bandwidth capabilities, network speed, video and voice transportation, ability for future expansion and upgrades.

### Mandatory Site Visit

A mandatory pre-bid conference/site visit will be held on January 7, 2004 at 10:00 AM in the Sequoia Room at 4210 Technology Drive, Fremont, California. Bidders not attending this meeting will not be qualified to bid.

### Bid Opening

Proposals will be publicly opened and read at the Fremont Unified School District, Sequoia Room at 4210 Technology Drive at 2:00 PM, February 3, 2004.

### Award

The District reserves the right to reject any or all proposals or to waive any informality and to award the contract in the best interest of the District.

Evaluation of proposals will be based on both price and responsiveness and an overall understanding of the District requirements. Experience and demonstrated ability of the bidder in projects of similar size and scope will also be considered.

### Pricing

Where the proposal price is a lump sum total comprised of smaller job units priced individually, the lump sum price will prevail.

## Vendor Profile and References

Provide current profile and background of your company. Indicate a description of the company, services offered, years in business, and management structure.

Please provide a minimum of three references at least one in the San Francisco Bay Area.

**Attachment 3  
to the  
Affidavit of Mitchell Eichenseer**

## SUMMARY

This document has been prepared to solicit proposals for the equipment and installation of a leased wireless Wide Area Network on behalf of Marana Unified School District. The plan is for this project to be implemented using funds received from the Schools and Libraries Universal Service Program. The award of the contract that may result from this Request for Proposal is contingent upon the approval of that funding. The proposed solution will replace an existing leased line WAN infrastructure operating at approximately 1.5 mbps. This document will provide bidders with detailed specifications on equipment desired to accomplish the migration.

The RFP will be made available on the district procurement website at **Error! Hyperlink reference not valid.** In addition the RFP may be obtained from the district office:

Marana Unified School District  
Attention: Hazel Houston  
11279 West Grier Road  
Marana, AZ 85653

## E-RATE WIRELESS WAN SPECIFICATIONS

### General Information

The Marana Unified School District is seeking a solution to provide broadband wireless wide area network services, to a select number of its school sites. The building infrastructure today includes a gigabit backbone in all schools with a 100 mbps uplink to the WAN. The WAN is presently on leased lines and functioning at 1.5 Mbps to each elementary school, middle school and high school. There is one elementary school, one middle school, two alternative education schools and district offices that are connected via gigabit fiber connections that will not be a part of this wireless WAN project.

The present connections into the district IT office includes 1 - DS 3 provided by Qwest of which 13 of the point to point T1 lines are used to provide connectivity to our schools and 4 additional T1 lines (6 Mbps link) have been apportioned from that DS 3 for our Internet connectivity. Presently our voice network is a completely separate network that we would like to be able to switch to VOIP in the future and pass across this wireless WAN without the need for wayside T1 connections. We would like to upgrade our bandwidth to allow for increased internet and video traffic, which could include distance learning, video lesson plans, and content refresher videos (video taping of master teachers to provide teaching to other teachers) and VOIP (voice over IP) in the near future. Presently all campuses connect back to our district IT facility located at 11279 West Grier Road, Marana, AZ 85653. The wireless WAN topology will be set up in the same fashion. The following buildings should be included in the wireless broadband wide area network, (terrain, line of sight, and distances permitting) and again will all directly or indirectly connect back to the District campus:

Butterfield Elementary School, 3400 West Massingale Road, Tucson, AZ 85741

- Approximately 1.64 miles from Tortolita Middle School

Coyote Trail Elementary School, 8800 North Silverbell Road, Tucson, AZ 85743

- Approximately 3.08 miles from Tortolita Middle School

DeGrazia Elementary School, 5051 West Overton Road, Tucson AZ 85742

- Approximately 1.36 miles from Mountain View High School

Desert Winds Elementary School, 12675 West Rudasill Road, Tucson AZ 85743

- Approximately 4.00 miles from Marana High School
- Approximately 8.67 miles from Roadrunner Elementary (redundant link)

Ironwood Elementary School, 3300 West Freer Road, Tucson, AZ 85742

- Approximately 4033 feet from Mountain View High School
- Approximately 1.38 miles from Tortolita Middle School (redundant link)

Marana High School, 12000 West Emigh Road, Tucson, AZ 85743

- Approximately 5.87 miles from the District Campus

Mountain View High School, 3901 West Linda Vista Boulevard, Tucson, AZ 85742

- Approximately 10.42 miles from the District Campus

Picture Rocks Intermediate School, 5875 North Sanders Road, Tucson, AZ 85743

- Approximately 4.00 miles from Marana High School

Quail Run Elementary School, 4600 West Cortaro Road, Tucson, AZ 85742

- Approximately 3440 feet from Tortolita Middle School

Roadrunner Elementary School, 16651 West Calle Carmela, Marana, AZ 85653

- Approximately 7.38 miles from the District Campus

Thornydale Elementary School, 7751 North Oldfather Road, Tucson, AZ 85741

- Approximately 1.37 miles from Tortolita Middle School

Tortolita Middle School, 4101 West Hardy Road, Tucson, AZ 85742

- Approximately 10.63 miles from the District Campus

Twin Peaks Elementary School, 7995 West Twin Peaks Road, Tucson, AZ 85743

- Approximately 4.41 miles from Mountain View High School

**The minimum bandwidth to each school campus should be as follows:**

Marana and Mountain View High Schools – These sites must have a dedicated 100MB connection with a committed information rate of 50MB full duplex

Tortolita Middle School – This site must have a dedicated 100MB connections with a committed information rate of 50MB full duplex if it is going to be used as a connection point (hub) for other campuses (which from all ways of looking seems to be the best option). If it isn't used as a connection point for other campuses it must have a dedicated 54MB connection with a committed information rate of 25 MB full duplex.

Butterfield Elementary, Coyote Trail Elementary, DeGrazia Elementary, Desert Winds Elementary, Ironwood Elementary, Picture Rocks Intermediate, Quail Run Elementary, Roadrunner Elementary, Thornydale Elementary and Twin Peaks Elementary – These sites must have a dedicated 54MB connection with a committed information rate of 25MB full duplex. Because of the proximity of Picture Rocks Intermediate to Desert Winds

Elementary, the district may choose to provide wireless WAN connectivity to only one of the schools and will link the two with fiber optics using its own staff.

We also prefer to have redundant fail-over links for back up of all crucial links. We need the availability to easily upgrade to higher throughput equipment in the future if the need arises. Because of that and the fact that other state entities will have the option to purchase services using this RFP, we also require a complete pricelist of bandwidth options other than the ones indicated above.

### **Project Goals / Objectives**

- Increase WAN bandwidth per site from the present 1.5 Mbps to a minimum “real” data throughput of 25 Mbps full duplex per site for the elementary schools and 50 Mbps full duplex for the middle and high schools.
- Have the ability to monitor availability and performance remotely
- Provide estimated reliability of 99.99% (uptime) of WAN
- Provide a cost effective solution to leased lines
- Allow for central placement of specific application servers to be accessed across the high speed WAN to reduce long term infrastructure costs

### **References**

All bidders are required to provide at least three references from other clients who have had projects similar in size and scope to the Marana Unified School District project within the past 3 years. The following information for each reference must be included:

- Client/company name
- Contact name, title, telephone number and email address
- Project scope in dollars and duration
- Project description and how it is relevant to this RFP
- Equipment installed

### **Bidding Information**

The Marana Unified School District Governing Board reserves the right to accept or reject any or all proposals received in response to this RFP. Furthermore, the district reserves the right to select or reject any part of any of the proposals to develop the most effective configuration of equipment and to negotiate with any party for terms and conditions of the contract. The school district reserves the right to accept any proposals, with price not being the main emphasis of the selection process.

Marana Unified School District has not designated a set amount for this project. However, all entities submitting proposals should be aware that cost “WILL” be a factor during the selection process even though it will not be the only factor. All proposals should be priced competitively for consideration.



### **Vendor Site Visit**

Vendors are invited and encouraged to tour the facilities on XXXX XX, 2005 @ XX:XX a.m. prior to the submission of a proposal. The tour will begin at the Financial Services building located at 11279 West Grier Road, Marana, Arizona. Please RSVP to Marianne Speer (via email at [m.s.speer@maranausd.org](mailto:m.s.speer@maranausd.org) or via phone at 520-682-4817) by XXXX XX so adequate transportation can be provided if you are planning to attend. The purpose of the site visit is to provide vendors an opportunity to ask questions arising from their review of the system specifications and a site inspection of the buildings.

### **Access to Premises**

Access to customer premise for installation will be allowed during normal business hours or as arranged in advanced. Bids must take into account the possibility of having to perform work outside of the normal work day so as not to adversely effect the education process.

### **General Conditions**

Conditions that will be necessary for a vendor to meet as part of the RFP process:

1. Award of this proposal is contingent upon the approval of funding from the Schools and Libraries Universal Service Program. The successful bidder must have a SPIN number to participate in the E-rate program and agrees to receive a portion of the payment for the provisions of goods and services described herein directly from the Universal Service Fund ("USF"), and/or its agents, the National Exchange Carrier Associations ("NECA"), and/or the Schools and Libraries Corporation ("SL C"). Marana Unified School District and the successful bidder will act in a reasonable manner and comply with any Schools and Libraries Universal Service Fund Program requirements as described under Section 254 of the Communications Act of 1934, as amended, 47 C.F.R. #254, and any competitive bidding requirements contained in 47 C.F.R. #54.504.
2. The soonest the contract may begin will be July 1, 2005.

### **Summary Description of Needs or Services**

#### **A. Major components needed as part of the request.**

- Wide Area Network engineering and design, including geographical surveys, designs, procurement, and configuration. All necessary permits must be obtained by the successful bidder and must be included in the proposed pricing.
- All equipment necessary for wireless WAN data communications, including all end point electronics, masts, towers and support structures.